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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES	Docket Number (Optional) EMC-00-066
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [CFR .8(a)] On <u>July 8, 2005</u> Signature <u>Mary P. McDermott</u> Typed or printed Name <u>Mary P. McDermott</u>	In re Application of <u>Robin Budd, et al.</u> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">Application Number <u>09/895,466</u></td> <td style="width:50%;">Filed <u>June 29, 2001</u></td> </tr> <tr> <td colspan="2">For METHOD AND APPARATUS FOR PROVIDING CONTINUOUS COMMUNICATION BETWEEN COMPUTERS</td> </tr> <tr> <td>Art Unit <u>2182</u></td> <td>Examiner <u>Angel L. Casiano</u></td> </tr> </table>	Application Number <u>09/895,466</u>	Filed <u>June 29, 2001</u>	For METHOD AND APPARATUS FOR PROVIDING CONTINUOUS COMMUNICATION BETWEEN COMPUTERS		Art Unit <u>2182</u>	Examiner <u>Angel L. Casiano</u>
Application Number <u>09/895,466</u>	Filed <u>June 29, 2001</u>						
For METHOD AND APPARATUS FOR PROVIDING CONTINUOUS COMMUNICATION BETWEEN COMPUTERS							
Art Unit <u>2182</u>	Examiner <u>Angel L. Casiano</u>						

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- A check in the amount of the fee is enclosed. 07/12/2005 MBERHE 00000031 050889 09895466
- Payment by credit card. Form PTO-2038 is attached. 01 FC:1401 500.00 DA
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 05-0889. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record. Registration number 36,634
- attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____

Robert Kevin Perkins
Signature

Robert Kevin Perkins
Typed or printed name

508-293-6985
Telephone Number

July 8, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

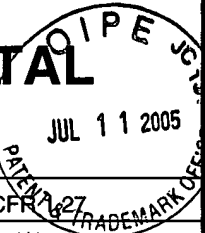
Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Effective 12/08/2004.

FEE TRANSMITTAL

For FY 2005



Complete if Known

Application Number	09/895,466
Filing Date	June 29, 2001
First Named Inventor	Robin Budd
Examiner Name	Angel L. Casiano
Art Unit	2182
Attorney Docket No.	EMC-00-066

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 500.00

METHOD OF PAYMENT (check all that apply)

- Check
 Credit Card
 Money Order
 None
 Other (please identify): _____
- Deposit Account**
 Deposit Account Number: **05-0889**
 Deposit Account Name: **EMC Corporation**
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- Charge fee(s) indicated below
 Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or any underpayment of fee(s)
 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

Additional Fees for Large Entity

Fee Code	37 CFR	Fee(s)	Fee Description	Fee Paid
1051	116(e)	130	Surcharge – late filing fee or oath	
1052	1.06(i)	50	Surcharge – late provisional filing fee or cover sheet	
1812	1.20(c)(1)	2520	Request for <i>ex parte</i> reexamination	
1804	1.17(n)	920	Requesting publication of SIR prior to Examiner action	
1805	1.17(o)	1840	Requesting publication of SIR after Examiner action	
1251	1.17(a)(1)	120	Extension for reply within first month	
1252	1.17(a)(2)	450	Extension for reply within second month	
1253	1.17(a)(3)	1020	Extension for reply within third month	
1254	1.17(a)(4)	1590	Extension for reply within fourth month	
1255	1.17(a)(5)	2160	Extension for reply within fifth month	
1401	41.20(b)(1)	500	Notice of Appeal	500.00
1402	41.20(n)(2)	500	Filing a brief in support of an appeal	
1403	41.20(b)(3)	1000	Request for oral hearing	
1451	1.17(j)	1510	Petition to institute a public use proceeding	
1452	1.17(l)	500	Petition to revive – unavoidable	
1453	1.17(m)	1500	Petition to revive – unintentional	
1501	1.18(a)	1400	Utility issue fee	
1502	1.18(b)	800	Design issue fee	
1503	1.18(c)	1100	Plant issue fee	
1807	1.17(q)	50	Processing fee for provisional applications	
1806	1.17(p)	180	Submission of Information Disclosure Statement	
8021	1.21(h)	40	Recording each patent assignment per property (times number of properties)	
1809	1.17(r)	790	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	1.17(s)	790	For each additional invention to be examined (37 CFR 1.129(b))	
1801	1.17(e)	790	Request for Continued Examination (RCE)	
1802	1.17(k)	900	Request for expedited examination of a design application	
Other fee (specify) _____				
TOTAL				(\$500.00)

SUBMITTED BY

Signature	<i>Robert Kevin Perkins</i>	Registration No. (Attorney/Agent)	36,634	Telephone	508-293-6985
Name (Print/Type)	Robert Kevin Perkins, Esq.	Date	July 8, 2005		

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.